

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DOC #:
DATE FILED: 12/7/2018

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NICOLE BURGESS,

Plaintiff,

-against-

PETER GOODMAN, PG EAST HOUSTON
CORP., 203 HENRY STREET REALTY CORP.,
288 MULBERRY STREET REALTY CORP.,
TOURBILLION47 LLC, HAROLD THOMAS
CARTER, IGNACIO MATTOSNOYA, MARK
CONNELL, AND BEA'S TAVERN, INC.,

Defendants.
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18-CV-6584 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on December 6, 2018, the parties appeared for a telephonic discovery conference before this Court; and

WHEREAS Plaintiff's counsel admitted on the record that he failed to produce to Defendants a signed, notarized, and valid HIPAA-compliant medical-records release authorization by November 29, 2018, as required by this Court's Civil Case Management Plan and Scheduling Order, *see* Dkt. 46,

IT IS HEREBY ORDERED that by close of business on **December 6, 2018**, Plaintiff's counsel must sign and return a copy of the parties' stipulated internal discovery schedule.

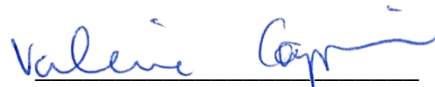
IT IS FURTHER ORDERED that no later than **December 13, 2018**, Plaintiff must produce to Defendants a signed, notarized, and valid HIPAA-compliant medical-records release authorization and post to ECF a letter confirming that production. As discussed at the

conference, if Plaintiff fails once again to produce a records release authorization consistent with this order, the Court may dismiss this action under Fed. R. Civ. P. 37(b).

IT IS FURTHER ORDERED that the stay this Court imposed on its earlier order sanctioning Plaintiff's counsel, *see* Dkt. 52, is VACATED. Therefore, under Fed. R. Civ. P. 16(f)(1)(C), the Court orders Mr. Finkelstein to immediately pay a civil sanction to the Clerk of Court of \$1000.

SO ORDERED.

Date: December 6, 2018
New York, New York


VALERIE CAPRONI
United States District Judge